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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,625	03/02/2006	Sebastien Boust	B-5727PCT 622708-2	2264
22879 7590 05/14/2010 HEWLETT-PACKARD COMPANY Intellectual Property Administration 3404 E. Harmony Road Mail Stop 35 FORT COLLINS, CO 80528				
EXAMINER				
PHUNG, LUAT				
ART UNIT		PAPER NUMBER		
2464				
NOTIFICATION DATE		DELIVERY MODE		
05/14/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/536,625

Applicant(s)

BOUAT, SEBASTIEN

Examiner

LUAT PHUNG

Art Unit

2464

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

PROSECUTION REOPENED

1. In view of the Appeal Brief filed on 28 January 2010, PROSECUTION IS
HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the
following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply
under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed
by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and
appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth
in 37 CFR 41.20 have been increased since they were previously paid, then appellant
must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by
signing below:

/Ricky Ngo/

Supervisory Patent Examiner, Art Unit 2464

DETAILED ACTION

Response to Amendment

2. Applicant's arguments filed on 28 January 2010 have been fully considered but they are moot in view of the new ground(s) of rejection.
3. Claims 1-36 are pending.
4. Claims 1-36 are rejected.

Claim Objections

5. Claims 1, 8, 35 and 36 are objected to because of the following informalities:
Claim 1 recites "the message" in line 12, which appears to refer to the preceding "the outgoing message" in lines 11-12, and should be changed accordingly.

Claims 8, 35 and 36 are object to for the same reason set forth in the objection of claim 1 above.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the context information" in line 13. There is insufficient antecedent basis for this limitation in the claim. It's not clear if it refers to "context information" recited in "storing context information" in line 1, "obtaining ...

context information" in line 9, or yet another instance of context information. It is noted that line 11 recites "adding ... the obtained context information". If the limitation "the context information" in line 13 refers to the same, it should be clarified to recite "the obtained context information". If so, the claim recites obtaining context information, adding the obtained context information in an outgoing message, and receiving a response to the outgoing message, the response contains the same obtained context information; the outgoing message is destined to a destination node, and the response is from the same destination node. In other words, it is claimed that the destination node is to provide a response to a message, the response having the same context information contained in the message. Why?

Claims 2-9 are rejected as being dependent upon a rejected base claim, namely claim 1.

Claim 10 recites the limitation "the obtained context data" in line 2, and "the context data" in line 3. There is insufficient antecedent basis for these limitations in the claim. It's not clear if both limitations refer to context *information* in the obtaining step of claim 1.

Claim 11 recites the limitation "the context information" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the presence of context information relevant to the layer *within the message*" in lines 7-8. It's not clear which is within the message—context information or the layer.

Claim 11 recites the limitation "the context" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites "determining whether the context information of the layer is to be restored based in part on the context information of the layer". If both references to context information are the same, it's not clear how the determining is based on context information that is yet to be restored. It would be logical for context information to be restored *before* it can be used as a basis for determining. Yet the claim recites determining whether context information is to be restored based on the same context information, which has not yet been restored.

Claims 13-17 are rejected as being dependent upon a rejected base claim, namely claim 11.

Claim 18 recites the limitation "the context information" in lines 11-12. There is insufficient antecedent basis for this limitation in the claim. It's not clear if it refers to "context information" recited in "storing context information" in line 1, "obtaining ... context information" in line 8, or yet another instance of context information. It is noted that line 10 recites "adding ... the obtained context information". If the limitation "the context information" in lines 11-12 refers to the same, it should be clarified to recite "the obtained context information". See similar discussion in claim 1 above.

Claims 19-26 are rejected as being dependent upon a rejected base claim, namely claim 11.

Claim 27 recites the limitation "the obtained context data" in line 2, and "the context data" in line 3. There is insufficient antecedent basis for these limitations in the

claim. It's not clear if both limitations refer to context *information* in the module for obtaining context information of claim 18.

Claim 28 recites the limitation "the context information" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 28 recites the limitation "the presence of context information relevant to the layer *within the message*" in lines 6-7. It's not clear which is within the message—context information or the layer.

Claim 28 recites the limitation "the context" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 29 is rejected for the same reason set forth in the rejection of claim 12 above.

Claims 30-34 are rejected as being dependent upon a rejected base claim, namely claim 28.

Claims 35 and 36 are rejected for the same reason set forth in the rejection of claim 1 above.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUAT PHUNG whose telephone number is (571) 270-3126. The examiner can normally be reached on M-Th 7:30 AM - 5:00 PM, F 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. P./

Examiner, Art Unit 2464